The Legal Aid Services Society of Manitoba

L'Aide Juridique du Manitoba

Annual Report

1989

90-04924/

SEVENTEENTH ANNUAL REPORT

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Fiscal Year Ending March 31, 1989

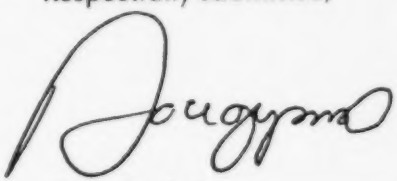
The Honourable James McCrae
Attorney-General
Province of Manitoba
Room 104 - Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Sir:

Pursuant to Section 28 of the Legal Aid Services Society of Manitoba Act, I am pleased to submit the Seventeenth Annual Report of the Society for the year ending March 31, 1989.

Detailed statistical information relating to clients, cases and costs is attached as Appendix A. The report of the Provincial Auditor is attached as Appendix B.

Respectfully submitted,



Doug Yard, Q.C.
Chairperson
Board of Directors

CHAIRMAN'S REPORT

Board of Directors

The Board of Directors are responsible for the development of policy for the Society and for the oversight of operations of the Society as a whole. In addition, the Board of Directors has statutory jurisdiction to hear appeals from decisions of the Executive Director in areas involving the taxation of lawyers' accounts for service and in the area of eligibility of applicants for Legal Aid.

In the previous year, demand for service in the area of civil certificates, rose by approximately 4% while demand in the criminal and youth area was relatively static.

During the same year, Legal Aid's overall budget grew to approximately 12.2 million dollars representing an increase of 1.5 million dollars over the previous year's spending. Almost all of this increase is reflected in additional payments to the private bar for service rendered based on increases to the Tariff paid to private bar lawyers, the adjustment of the Civil/Domestic Tariff and the movement to block fees and away from strict hourly accounting. The experience in this area has been that the increase is significantly a result of private bar submitting its bills at a faster rate than was previously the case, the billing process having been expedited by the movement to block fee Tariffs. This has the effect of reducing Legal Aid's long term indebtedness.

During the year the Board has benefited much from the thoughtful advice and assistance of senior administrative staff of the Society and in particular, its Executive Director, Allan Fineblit. Without the energy and dedication of this group of professionals, many of the achievements of the Society would not have been realized.

During the same year, the Board of Directors has continued unchanged. Each member of the Board has made a unique, important and significant contribution to the direction and functioning of the Society and each deserves our thanks. The following persons were members of the Board of Directors during the 1988/89 fiscal year:

Doug Yard (Chairman)
Randy McNicol (Vice Chairman)
Colin Trigwell
Perry Schulman
Judy Cook
Aaron Berg
Audreen Hourie
Sharon Schultz
Bill Armstrong
Sam Wilder
Jane Park
Bill Malcolm

Financial Eligibility Guidelines

Again, on October 1st, 1988 the Board adjusted the Financial Eligibility Guidelines of the Society upward to keep pace with Statistics Canada's last published Guidelines. This has helped to ensure that many low income Manitobans continue to be able to receive the legal advice and assistance they require. It is hoped that the Society will be able to continue to adjust these Guidelines on an annualized basis.

The Guidelines, effective October 1st, 1988, which are only Guidelines and are used in conjunction with assets, debts and living expense, to determine financial eligibility, are:

Family Size	Gross Annual Income
1	$12,000
2	15,300
3	20,500
4	23,600
5	27,500
6	30,000
7	33,000

Persons earning more than the Guidelines may, when the totality of their financial position is considered and assessed, still be eligible for Legal Aid, in some cases with the applicants being required to make a financial contribution to Legal Aid, usually in the form of monthly instalments. In the fiscal period 1988/89 approximately $136,000.00 was recovered by Legal Aid Manitoba from clients assisted in this manner.

Expanded Eligibility Program

During this fiscal period, Legal Aid was also able to make arrangements with the Federal Department of Justice and the Provincial Government for the funding of a pilot project called, "The Expanded Eligibility Program". This Program provides service to persons somewhat above the normal Financial Eligibility Guidelines in terms of their economic position on the basis of complete repayment to Legal Aid, by way of monthly payments, of the entire cost of Legal Aid. The benefit to the client is the obtaining of legal services at a significantly reduced rate from what would otherwise be paid, and most importantly, the ability to obtain legal services at affordable rates. This program is aimed at the working poor and will be assessed over a period of 2 years as to its benefit and viability. The program is an exciting new initiative which, if successful, may serve as a model for Legal Aid Programs throughout the country and further afield.

Tariff of Fees

It was noted in the last Annual Report that the Tariff of Fees paid to the private bar had increased to $45.00 per hour as of October 1st, 1987. It is upon this hourly rate that the current block Fee Tariff is based.

It continues to be important that the Tariff of Fees paid to private bar lawyers be kept up-to-date and not be allowed to fall behind a reasonable level of remuneration. Without the participation of private bar lawyers in the Legal Aid Plan, two classes of clients will develop; those who cannot have a lawyer of their choice (the poor) and those who can. While all members of the bar have an obligation to make some contribution to Legal Aid by way of their time and effort, the members of the private bar cannot be asked to make an overly generous contribution of their time and must be paid reasonably for the work performed, remembering always that the plan cannot and should not be expected to remunerate lawyers at the same level as private clients would.

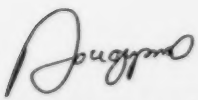
From time to time it has been suggested that some automatic and permanent review mechanism be put in place to allow for adjustments on annual or semi-annual basis so that inequities do not again arise. In the upcoming year, effort should be put into looking at models for such a mechanism and into dialogue with the private bar about the implementation of such a mechanism.

Northern Paralegal Project

The Northern Paralegal Project completed its 2 years as a pilot program and was evaluated as a resounding success. The program is now part of the permanent delivery system of Legal Aid Manitoba and is funded as such. Planning is being undertaken in respect of the potential expansion of the project to other northern and geographically remote communities with a view to bringing the benefits of this important program to more indigent Manitobans.

Conclusion

In its seventeenth full year of operation, the Society has been able to make the Northern Paralegal Project a part of its permanent delivery system and has been able to launch a pilot project regarding expanded eligibility, at minimal cost to funders. Both staff and private bar counsel have maintained a consistently high level of productivity and competence and the Society's funders, the Government of Manitoba, The Law Foundation of Manitoba and the Federal Department of Justice continue to be supportive of and to show confidence in the Society and the importance of delivering its mandate effectively. All of this bodes well for the future of the Society itself and of the clients it is mandated to serve.



Douglas D. Yard, Q.C.
Chairperson
Board of Directors

EXECUTIVE DIRECTOR'S REPORT

Introduction

Public service agencies are always encouraged to develop a mission statement. This usually isn't easy to do and is often the subject of intense debate. At Legal Aid we developed our mission statement a number of years ago. It took about ten seconds and was the subject of no debate. Our mission is to deliver legal services, traditional and non traditional, to low income people and groups.

The hard part has never been the mission statement. The hard part is living up to it. For example we have always refused many people legal aid whose income make them financially ineligible for legal aid, but who are, without any doubt, too poor to afford the legal services they need. This group is sometimes called the "working poor".

Our service delivery has been targeted at the poorest of the poor. In our last Annual Report, I wrote about a study of Legal Aid Manitoba clients which found that 97% had gross annual incomes under $11,000. Can we really then say that we were meeting our mandate? We didn't think so.

We have been trying to find a way to expand our service delivery to include the working poor. It became apparent that to pay the cost of legal services for this relatively large group would be expensive and clearly beyond the means of our major funders. Something else occurred to us.

Most of this group could afford to pay something. They could not afford traditional legal fees. They couldn't come up with retainers. They could however afford to pay reasonable monthly payments toward a significantly reduced legal fee. Our "expanded eligibility program" was born!

Legal Aid began a series of consultations with government (provincial and federal), the Bar and our staff toward developing a program where we would provide legal aid certificates to the working poor who would repay the full cost of the legal services they received, but at Legal Aid rates and at affordable monthly payments. Our only cost would be bad debts and administrative expenses. This would be a relatively minimal cost considering the amount of service that would be provided.

The Bar was supportive as were both levels of government. All we had to do was come up with that "relatively minimal cost". At the end of the 1988/89 fiscal year, we were advised that the Federal Department of Justice, through its Special Projects Legal Aid Program had approved a grant to fund our bad debts and most of our administrative costs. Our expanded eligibility program will begin on June 1, 1989. We believe we are going to be much closer to living up to our mission statement.

Significant Developments

There were a number of significant developments in 1988/89. I want to highlight a few of them:

- At the end of 1988, Legal Aid and the Province and the Federal Government entered into an agreement whereby Legal Aid will provide legal services to refugee claimants at port of entry hearings;

- Legal Aid entered into an agreement with the Foster Parents Association in 1988/89, to facilitate the hiring of counsel by the Association for their members who face criminal charges related to their role as foster parents;

- In October 1988, Legal Aid staff and Board held an all day planning session to develop a presentation for the Aboriginal Justice Inquiry. The results of that meeting were presented to the Aboriginal Justice Inquiry in March 1989;

- A long standing issue regarding Legal Aid representation to persons on social assistance who were wishing to seek maintenance orders was resolved in March 1989. Legal Aid now provides counsel to most people on social assistance who wish to pursue maintenance from their spouse.

Private Bar

Once again the private bar proved to be an important partner in the delivery of Legal Aid services. The tariff rate that Legal Aid pays to private bar lawyers has not increased since October 1987 and remains at $45.00 an hour, yet participation by the private bar in the Legal Aid service delivery has increased. In 1987/88, seven hundred and ninety-seven (797) private bar lawyers were on the Legal Aid panel and in 1988/89, that number rose to eight hundred and fifty-one (851) lawyers. There are currently one thousand six hundred and nine (1609) practising lawyers in Manitoba.

Total payments to the private bar increased dramatically in 1988/89. There were two reasons for this. The tariff increase which took place in October of 1987 did not have its full effect until the 1988/89 fiscal year. This was expected and budgeted for.

One of the features of the new tariff was that it was a "block fee" type of tariff. This greatly simplified the billing procedure and resulted in bills coming in much faster than ever before. This was not expected nor was it budgeted for.

As a result of this unexpected increase in bills, a supplementary funding request was made to government and Legal Aid received an additional $850,000 all of which was paid to the private bar on account of fees and disbursements. Total payments to the private bar rose from approximately $6.2 million in the 1987/88 fiscal year to approximately $7.5 million

in the 1988/89 fiscal year. The following represents a breakdown of the payments to the private bar:

Dollars	Number of Lawyers
$100,000 and over	8
$ 80,000 - $99,999	11
$ 60,000 - $79,999	10
$ 40,000 - $59,999	21
$ 20,000 - $39,999	66
$ 10,000 - $19,999	66
$ 1,000 - $ 9,999	235
Under $1,000	111

Budget

Legal Aid spent approximately $12,200,000 last year, an increase of spending of 14% over the previous year. Almost all of this increase is reflected in additional payments to the private bar. The positive side is that this reflected a growth in payments to the private bar and not a growth in demand. It has brought about expedited billing practices under the block fee tariff. Instead of growing as it usually does, our long term debt for unbilled legal aid certificates actually declined in 1988/89 as a result of this.

Conclusion

There are many challenges facing Legal Aid in the 90's. We have in place a planning process to help us be ready for those challenges. The following are some of the issues we see ahead:

1. **Restraint**

   We have been experiencing steady growth in demand for the last ten years. Our funders have generously funded the real cost of that growth, that is, the increased cost of certificates going to the private bar. In an era of restraint, there have however been no increases in the resources of the infrastructure that supports that growth. Furniture is falling apart. Equipment is outdated.

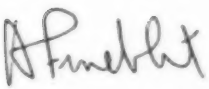
   We will have to find a way to expand our support staff and replace and modernize our furniture and equipment. We have fine staff. We have to give them the tools to do their job.

2. **Aboriginal Services**

   The recommendations of the Aboriginal Justice Inquiry will undoubtedly present challenges to the justice system including Legal Aid. We will have to find creative ways to deliver a culturally appropriate service to aboriginal people. Our highly successful northern paralegal project is an example of one such service.

3. The continuing growth and the cost of delivery of traditional legal services means that alternative delivery models must be looked at. Legal Aid Manitoba must be a leader in exploring alternatives such as paralegal service delivery, prevention programs, contracting and community clinics.

We have a dedicated and competent staff, and an experienced and committed Board of Directors. We have the support of our major funders (the Province, the Federal government and the Manitoba Law Foundation) and the generous participation of the private bar. We are ready to meet the challenges that the 1990's will bring.



Allan Fineblit
Executive Director

Youth Office

The most significant change in the past year was the June 1988 move from Building 30, 139 Tuxedo Avenue to 635 Broadway. This move coincided with the move of the Youth Court to 408 York Avenue. The Manitoba Youth Centre continues as a docket court each morning for custody matters. All other matters take place at 408 York Avenue on the 4th floor. As the custody docket court was moved to the morning at the same time, the lawyers from the Youth Office are required to juggle appearances both at the Law Courts downtown and at the Manitoba Youth Centre. This results in considerable inefficiency.

Previous reports have spoken with some satisfaction of a high volume of case work being handled by the Youth Office. This high volume has continued because of the willingness of staff to put in the many extra hours required to service our clientele.

The office continues to provide duty counsel at the Manitoba Youth Centre, Pine Falls Youth Court and Portage Youth Court. It also provides drop in service at 635 Broadway. The Youth Office serves as the contact for Community Services and Corrections on a large number of Corrections-sponsored reviews. In addition, the lawyers on staff continue to provide public legal education activities.

Thompson Community Law Centre

During this fiscal year, Legal Aid, Thompson Office has continued to provide duty counsel services, domestic advice and certificate work to the following communities:

Theresa McDonald	**Rod Brecht**	**Gordon Bates**	**Mike Paluk**
Oxford House[1]	Brochet[2]	Shamattawa[3]	Thompson Family
Pukatawagan[1]	S. Indian Lake[2]	God's Lake N.[3]	Q.B. Family
Nelson House[1]	Cross Lake[3]	Norway House[3]	
Split Lake[1]	Garden Hill[2]	Thompson	
Thompson	Thompson		

The paralegals provide drop-in clinics and assistance in the following communities:

Sylvia Grier	**Sharon LeDrew**
Norway House	Shamattawa
God's Lake Narrows	Cross Lake

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[1] Court is held once a month in these communities.
[2] Court is held once every other month in these communities.
[3] Court is held two or three times per month, depending on the size of the docket, in these communities.

Members of the private bar provide assistance in the following communities:

Churchill	Gillam	God's Lake Narrows
Leaf Rapids		Lynn Lake

As well, this office continues to educate the general public in legal procedures by giving talks on matters of interest at local schools, the Crisis Centre, Y.W.C.A. and any other organization that requests this service.

The Northern Paralegal Project described in the previous year's annual report, has resulted in an increase in work for the office, particularly in the civil area. It has also placed major time demands on the office for administration and supervision. It has increased accessibility to Legal Aid for residents of God's Lake Narrows, Norway House, Cross Lake and Shamattawa. The project will be the subject of a final evaluation in the coming year and indications are that the findings will be quite positive.

Main Street Community Law Centre

Main Street Community Law Centre is located in the core area of Winnipeg at 929 Main Street. The office generally handles civil and domestic law work as well as several criminal circuits. The office is open from 8:30 a.m. to 4:30 p.m. with evening drop-in service available on Monday and Thursday evenings from 6:00 p.m. to 8:00 p.m. The office is staffed by 7 lawyers, 1 paralegal, 2 students and a support staff of 5.

The Main Street Office provides criminal duty counsel service for circuit courts in Steinbach, Fisher Branch, Morden, Gypsumville and Roseau River. The Pine Falls Youth Circuit was taken over by the Broadway Office and Main Street took over the Morden Circuit, effective January 1, 1989.

The Main Street Office serviced the Osborne House Facility for Abused Women with paralegal Marlene Lagimodiere coordinating the service and with three lawyers, Gil Clifford, Marcy Zlotnick and Harry Peters (followed by Alex Arenson) handling the duty counsel assignments on a rotating basis. A similar program has been arranged for the Ikwe-Widdjiitiwinic Facility for Native Women suffering from abuse. This facility is projected to be in operation in or about the month of October 1989.

There were 1381 new certificates issued to Main Street lawyers in the fiscal year. This resulted in an average of 17.04 certificates per month per lawyer which approximates the average over the last three years.

The office looks forward to maintaining the service provided on the existing criminal and civil duty counsel circuits and to the implementation of the duty counsel service for abused women at the Ikwe-Widdjiitiwinic Facility. The Main Street Office is hopeful of continuing into the 1989/1990 fiscal year with the same high morale and cooperation amongst the staff enjoyed in the past fiscal year.

Parklands Community Law Centre

A number of changes have occurred in the office and in the area served by the office since the last report. Fred Sandhu has been transferred to the Broadway Office for one year and has been replaced by Therese Koturbash since September 1, 1988.

While the main area of concentration continues to be in the former Dauphin Judicial District, the office has taken on duty counsel tasks in Ashern in the Interlake, and in Amaranth in the Central Judicial District. Towards the end of the fiscal year, drop-in clinics were opened at Shoal River, Crane River, Pine Creek and Ebb & Flow Indian Reserves. It is still too early to adequately assess these clinics, beyond stating that they have resulted in an increase in the workload. These clinics function once every other month, and are in addition to regular clinics at the Town of Swan River (three times per month), and Roblin (two times per month), and Camperville (one time per month).

The office has added involvement with the ARC Industries Inc., a group sponsoring a workshop in Dauphin for mentally handicapped adults, to its previous community involvements.

Westman Community Law Centre

The Brandon Office services Southwestern Manitoba. Some of the points travelled to are 90 to 120 miles away from Brandon. This area contains approximately 115,000 people.

The Brandon Area Director Office is now computerized. This has required adjustment. Maureen Mooney devotes her entire time to entering Area Director information.

The following are the Courts attended as by staff lawyers as duty counsel:

Bob Heinrichs	**Mervin Hart**	**Willis Congdon**
Brandon Youth Ct.[1]	Portage la Prairie (Adult docket)[1]	Brandon Adult[1]
Neepawa[2]	Russell[2]	Minnedosa[3]
Killarney[2]	Rossburn[4]	Virden[1]
Brandon Fed. Ct.[2]	Virden[2]	Souris[5]
Melita[2]		

Wendy Murray is a member of the Board of the John Howard Society and Westbran Work Activity in Brandon. Mervin Hart and Wendy Murray are both quite active with the Concerned Citizens Committee which

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[1] Duty counsel attends once a week.
[2] Duty counsel attends once a month.
[3] Duty counsel attends three times a month.
[4] Duty counsel attends twice a month.
[5] Duty counsel attends on occasion, no regular date

has been dealing with the Welfare By-Law of Brandon. Wendy has also become a member of the Board of the Canadian Mental Health Association.

The Brandon Office has continued to be as productive as usual and certificate activity for the office is up 1.9% over the previous year.

Northlands Community Law Centre

The geographical area served by this office on a regular basis includes the communities of The Pas, Flin Flon, Moose Lake, Easterville, Grand Rapids, Cranberry Portage and Snow Lake. All of these communities are served by this office from The Pas by road, although the court party flies to some.

The staff of this office consists of two lawyers, an articling student and two secretaries. One secretary functions primarily as secretary to the Area Director and the other maintains the work flow associated with the practice of law. The articling student plays a real role in the workload of this office. The staff lawyers have 12 and 9 years experience at the Bar respectively as of the date of this report.

The office is open for drop-in advice year round from 8:30 a.m. to 4:30 p.m. As well, the home telephone numbers of both lawyers and the articling student are, of course, readily available from the telephone book and have been circulated to all R.C.M.P. Detachments in our area.

The office provides duty counsel service to both adult criminal court and youth court as follows:

Duty Counsel Service

Communities	Times per Month
The Pas	9
Flin Flon	3
Moose Lake	1
Cranberry Portage	1
Easterville	1
Grand Rapids	1

Regular drop-in clinics are held in all of these communities. Informal advice is given either by way of drop-in advice or telephone advice where such advice is sought.

Statistical Data

	1983/84	1984/85	1985/86	1986/87	1987/88	1988/89
Certificates issued to The Pas Staff	336	459	411	464	551	552
Duty Counsel persons assisted	1045	1326	1367	1522	1251	1166
Drop-in persons assisted	1114	1022	904	838	726	761

The workload is such that almost all non-request certificates will be issued to a staff lawyer from this office. Due to the vastly increased support staff workload in the past few years associated with this office administering the Legal Aid Plan for Northern Manitoba, it has, for the first time, been necessary to appoint counsel outside of this office, where no conflict exists, in some civil and domestic cases.

The type of work done by staff lawyers includes jury assize trials, Court of Queen's Bench matters, Court of Appeal appearances, Family Court, Youth Court and Provincial Court. In the area of community work, staff have attended upon learning institutions in The Pas and elsewhere. Staff lawyers and the articling student have been involved with a number of community organizations in the community.

Broadway Community Law Centre

Specializing in criminal, immigration and prison law, the office draws and services clients from throughout the City. As well, it services an extended community through the provision of duty counsel services in the rural communities of Pine Falls, in southeastern Manitoba, Ashern, in the Interlake, and the "northern" communities of Berens River, Bloodvein, Little Grand Rapids, Poplar River and Pauingassi, which are all located on or near the eastern shore of Lake Winnipeg.

The office functions as a law centre with a staff of 14 - composed of 7 lawyers, 4 support staff, 2 articling students and 1 paralegal.

The Broadway Office provides a large service to its clientele through three main categories: duty counsel program; certificate case work; and drop-in assistance.

The current duty counsel programs are as follows:

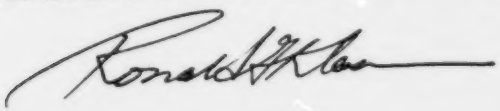
1. Criminal Court duty counsel in Winnipeg (three people);
2. Institutional (or prison) duty counsel at Stony Mountain Penitentiary and Headingley Jail;
3. "Northern" and "Rural" duty counsel on the "Berens River" circuit and at Pine Falls and Ashern;
4. An "on-call" service for those arrested or in custody after normal working hours.

The prison duty counsel program continues to be done by Ms Elliott and Ms Pullan. At Headingley Jail, Ms Towers continues to attend at least one afternoon per week. As well, Ms Towers attends to the various hospitals and psychiatric units on an on-call basis.

The number of people assisted by all of the duty counsel programs increased for the sixth year in a row. This past year, there was a further dramatic increase of 1,305 (approximately 12%) for a total of 12,591 assisted. This is four times the number assisted six years ago.

The second major category is certificate or case work. This year, as anticipated, the total number of certificates to the office dropped. However, the drop was more dramatic than expected. Last year there was only a marginal decrease from 1987. This year, there was a significant decrease of 420 to a total of 1,506. This represents 35 fewer certificates per month to the office.

The third category of service remains "drop-in" assistance. The Broadway Office provide a drop-in program by appointment four afternoons each week. As well, there is an immigration drop-in clinic each Wednesday afternoon. Lastly, the office is open each Wednesday evening for individuals to attend on an unscheduled basis.



Ronn Klassen
Deputy Director

Report of the Public Interest Law Centre

The Public Interest Law Centre was established in 1982 to represent groups and organizations on public interest and low income issues of law. Based on a track record of responsible and effective advocacy, the Centre seems to have achieved recognition as a vital part of the Manitoba justice system, despite the occasional controversy caused by a few of the Centre's cases.

Funding in 1988-89 continued to flow under the Manitoba Law Foundation statutory arrangements. Funding of $200,000 continues to cover the cost of two lawyers, a student, a paralegal, a secretary, and various other expenses. Effective April 1, 1989, the Centre will move to year-to-year funding.

The past year was a particularly busy one at the Centre. Highlights include the following:

- Crown corporations in Manitoba came under the full regulatory authority of the Public Utilities Board for the first time when Bill 37 was passed. The Centre wrote the consumers brief to government and almost all of the recommendations put forward were adopted in new legislation. As a result, Autopac and Hydro rates are now subject to regular Board hearings.

- In the first Manitoba Hydro hearing under the new Act, the Centre represented consumers and seniors and successfully argued for a reduction in the proposed 6% general rate increase. The savings to all consumers in Manitoba was approximately $5.3M.

- In September 1988 the Court of Queen's Bench upheld City of Winnipeg by-laws regulating group homes, dismissing a Charter challenge taken by the Centre on behalf of six community organizations. The by-laws were invalidated only to the extent that they restrict group homes for the aged. An appeal is pending before the Manitoba Court of Appeal.

- Also in September, the Centre launched a constitutional challenge to provisions of the Mental Health Act permitting confinement of mentally retarded persons without due process. An interlocutory restraining order was sought for the client and his family, leading to an undertaking by the government not to attempt a committal. The client therefore was able to remain in his Winnipeg group home and the constitutional challenge itself is now being prepared for hearing.

- In June 1988 the Taxicab Board precipitously deregulated handicapped taxi service. Disabled groups opposed the move and the Centre obtained a restraining order in Queen's Bench against the Board. Later the Board relented and abandoned the deregulation order, deciding instead to hold generic hearings with a view to overhauling the taxi industry. The Centre represented disabled consumers and seniors in these hearings as well.

- The Centre was active in northern Manitoba over the past year, working with the Native Paralegal Program based in the Thompson Community Law Centre. Advice and representation was provided to C-31 people regaining their Indian Act status. Special needs education problems of Native youth were dealt with and a test case was settled favourably. The Centre began working on problems caused in Metis communities as a result of the Northern Hydro Projects.

- A constitutional challenge was launched against federal Bill C-22, amendments to the Patent Act restricting generic copying of prescription drugs. The case was taken on behalf of the Manitoba Society of Seniors and has national implications.

- Prior to the November federal election, a Charter challenge to the prisoner voting disqualification was taken and won in Queen's Bench. The Chief Electoral Officer was ordered to take immediate steps to ensure that all prisoners had an opportunity to vote. The government appealed and the order was reversed in the Manitoba Court of Appeal. A leave application has been filed in the Supreme Court of Canada.

- In another prisoner case, the Federal Court of Appeal dismissed a Charter challenge to the practice of double-bunking at Stony Mountain Institution.

- Also during the federal election campaign, an injunction was obtained against the City of Winnipeg to prevent enforcement of the City's anti-postering by-law, on the grounds that the by-law was arbitrary and violated freedom of expression under the Charter.

- A motion to quash zoning approval for high rise riverbank condominiums in St. Boniface was successful in August 1988. The Court set strict rules to ensure impartial hearings before City Council Committees. However, on appeal, the decision was reversed by the Manitoba Court of Appeal and the Centre has now sought leave to appeal to the Supreme Court on behalf of the Residents Association.

The Centre handled numerous other matters, including Autopac rate hearings, telephone rate hearings, two natural gas cases, several farm credit cases, a variety of child and family services issues, and other matters. A brief was submitted to the Aboriginal Justice Inquiry on public interest law in the north. Education and training sessions were presented to professionals, students and community groups. Informal advice and drop-in assistance was provided throughout the year.

Arne Peltz
Director
Public Interest Law Centre

APPENDIX A

Legal Aid Activity by Area

For The Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

Area	Applications for Legal Aid Certificates	Applications Refused	Certificates Issued Civil	Criminal	Youth	Certificates Cancelled	Persons Assisted by Duty Counsel
Brandon	3,156 (3,381)	774 (795)	1,020 (1,058)	997 (1,127)	365 (401)	154 (160)	2,386 (2,319)
Dauphin	1,409 (1,249)	203 (129)	486 (428)	562 (560)	158 (132)	33 (31)	1,117 (717)
The Pas & Thompson	2,477 (2,300)	386 (367)	575 (569)	1,148 (1,004)	368 (360)	36 (27)	3,779 (4,230)
Winnipeg	24,019 (24,002)	5,966 (5,274)	6,511 (6,197)	8,781 (9,569)	2,761 (2,962)	1,634 (1,722)	20,069 (20,786)
Provincial Total	31,061 (30,932)	7,329 (6,565)	8,592 (8,252)	11,488 (12,260)	3,652 (3,855)	1,857 (1,940)	27,351 (28,052)

NOTES:

1. *In the fiscal year ended March 31, 1989, there were a total of 23,732 (24,367) certificates issued; of this total 6,740 (6,942) were issued to staff lawyers through the following community law centres.*

Winnipeg	*— Broadway*	*1,506*	*(1,926)*
	— Main	*1,384*	*(1,227)*
	— Youth Office	*1,029*	*(1,202)*
	— Head Office	*238*	*(59)*
Westman		*675*	*(664)*
Parklands		*425*	*(418)*
The Pas		*554*	*(552)*
Thompson		*929*	*(894)*
		6,740	*(6,942)*

2. *In the fiscal year ended March 31, 1989, there was a total of 27,351 (28,052) people assisted by Duty Counselling services: of this total 24,410 (24,847) were assisted by staff lawyers through the following Community Law Centres:*

Winnipeg	*— Broadway*	*12,591*	*(11,286)*
	— Main	*987*	*(1,112)*
	— Youth Office	*4,154*	*(5,759)*
	— Head Office	*Nil*	*Nil*
Westman		*2,164*	*(2,095)*
Parklands		*1,077*	*(700)*
The Pas		*1,061*	*(1,251)*
Thompson		*2,376*	*(2,644)*
		24,410	*(24,847)*

(Table continued on next page)

3. *For the year ended March 31, 1989 7,329 (23.6%) of the applications for Legal Aid were refused as compared to 6,565 (21.2%) in the previous year.*

4. *For the year ended March 31, 1989, there was a total of 16,860 (17,234) telephone and drop-in inquiries and 599 (843) non certificate files opened for a total of 17,459 (18,077) people assisted broken down as follows.*

Winnipeg	*— Broadway*	*1,772*	*(2,399)*
	— Main	*3,053*	*(3,170)*
	— Youth Office	*652*	*(704)*
	— University	*599*	*(579)*
	— Head Office	*1,440*	*(1,585)*
Westman		*3,018*	*(3,348)*
Parklands		*2,187*	*(2,313)*
Selkirk		*934*	*(828)*
The Pas		*1,570*	*(1,341)*
Thompson		*2,234*	*(1,810)*
		17,459	*(18,077)*

5. *For the year ending March 31, 1989, there was a total of 68,542 (70,496) people assisted either on a formal or informal basis.*

Analysis of Certificates Issued
For the Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

Certificate Classification	Private Bar	Law Centres	Totals
CRIMINAL ADULT			
Appeals—Crown	40	11	51
	(34)	(16)	(50)
—Client	132	25	157
	(150)	(39)	(189)
Arson	36	14	50
	(61)	(37)	(98)
Assault	1,101	563	1,664
	(1,306)	(706)	(2,012)
Attempted Homicide and Wounding	61	6	67
	(70)	(14)	(84)
Breach of Probation and Escape Custody	879	194	1,073
	(1,097)	(411)	(1,508)
Break and Enter	990	442	1,432
	(1,779)	(1,040)	(2,819)
Fraud and False Pretences	618	162	780
	(686)	(224)	(910)
Homicide and Death by Criminal Negligence	55	8	63
	(89)	(6)	(95)
Immigration	3	2	5
	(4)	(5)	(9)
Junior Counsel	10	2	12
Legal Opinion	3	3	6
	(3)	(3)	(6)
Motor Vehicle Offences	1,012	334	1,346
	(1,033)	(389)	(1,422)
Narcotics	441	83	524
	(580)	(126)	(706)
Parole Hearings	54	44	98
	(52)	(68)	(120)
Possession of Offensive Weapons	632	296	928
	(652)	(352)	(1,004)
Robbery	311	65	376
	(322)	(119)	(441)
Sexual Assault and Other Sexual Offences	372	114	486
	(389)	(201)	(590)
Theft	1,369	430	1,799
	(2,018)	(873)	(2,891)
Other	420	151	571
	(578)	(277)	(855)
	8,539	2,949	11,488
	(10,903)	(4,906)	(15,809)

Analysis of Certificates Issued
For the Year Ended March 31, 1989
*(with the 1988 Comparisons in Parenthesis)**

Certificate Classification	Private Bar	Law Centres	Totals
CRIMINAL YOUTH			
Appeals—Youth	15 (18)	12 (21)	27 (39)
Arson	25	35	60
Assault	138	145	283
Attempted Homicide and Wounding	8		8
Breach of Probation and Escape Custody	276	184	460
Break and Enter	528	524	1,052
Disposition Review or Reconsideration of Youth	50 (144)	38 (105)	88 (249)
Fraud and False Pretences	47	29	76
Homicide and Death by Criminal Negligence	2		2
Immigration		1	1
Junior Counsel			
Legal Opinions			
Motor Vehicle Offences	45	28	73
Narcotics	45	48	93
Non Federal Youth Matters	3 (4)	3 (3)	6 (7)
Parole Hearings		3	3
Possession of Offense Weapons	103	109	212
Robbery	50	46	96
Sexual Assault and Other Sexual Offences	62	59	121
Theft	434	396	830
Youth Transfers	4 (10)	2 (1)	6 (11)
Other	72	83	155
	1,907 (176)	1,745 (130)	3,652 (306)
CIVIL			
Adoption	64 (60)	28 (28)	92 (88)
Appeals	81 (54)	13 (12)	94 (66)
Civil Suits - Defendant	115	30	145
Civil Suits - Plaintiff	42	30	72
Civil Suits	(166)	(55)	(221)

(Table continued on next page)

**Most youth categories were included in adult criminal totals for the prior year.*

Certificate Classification	Private Bar	Law Centres	Totals
Court Appointed/Amicus	30	4	34
Custody	1,110 (1,147)	375 (409)	1,485 (1,556)
Divorce	1,630 (1,711)	466 (484)	2,096 (2,195)
Estates	9	8	17
Immigration	102 (61)	27 (54)	129 (115)
Immigration - POE	1		1
Landlord & Tenant	47 (49)	7 (8)	54 (57)
Legal Opinions	66 (41)	47 (28)	113 (69)
Mental Health	39	10	49
Other Administrative Matters	74 (100)	34 (61)	108 (161)
Parentage Proceedings	281 (181)	98 (67)	379 (248)
Separation	1,669 (1,656)	544 (399)	2,213 (2,055)
Variation Applications	839 (825)	186 (157)	1,025 (982)
Welfare	40 (43)	29 (31)	69 (74)
Workers Compensation	28	13	41
Other	270 (252)	106 (113)	376 (365)
	6,537 (6,346)	2,055 (1,906)	8,592 (8,252)

Analysis of Completed Cases by Types of Case
(Private Bar Only)
For the Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
CRIMINAL ADULT			
Appeals—Crown	27 (49)	$ 22,631 (27,354)	$ 838.19 (558.24)
—Client	110 (136)	124,483 (152,818)	1,131.66 (1,123.66)
Arson	39 (34)	38,962 (27,220)	999.03 (800.59)
Assault	1,198 (985)	461,157 (360,231)	384.94 (365.72)
Attempted Homicide and Wounding	56 (54)	57,672 (60,019)	1,029.86 (1,111.46)
Breach of Probation and Escape Custody	950 (784)	260,281 (215,921)	273.98 (275.41)
Break and Enter	1,131 (1,134)	397,9312 (426,449)	351.84 (376.06)
Fraud and False Pretences	640 (558)	219,878 (190,738)	343.56 (341.82)
Homicide and Death by Criminal Negligence	65 (73)	223,621 (304,790)	3,440.32 (4,175.21)
Immigration	4 (7)	3,793 (1,925)	948.25 (275.00)
Junior Counsel	7	18,735	2,676.43
Legal Opinions	Nil (1)	Nil (50)	Nil (50.00)
Motor Vehicle Offences			
—Federal Statutes	730 (612)	239,915 (201,671)	328.65 (329.53)
—Provincial & Municipal Statutes	302 (216)	84,376 (63,149)	279.39 (292.36)
Narcotics			
—Indictable	377 (298)	182,537 (118,603)	484.18 (398.00)
—Non-Indictable	127 (127)	36,914 (35,308)	290.66 (278.02)
Parole Hearings	50 (43)	14,099 (10,869)	281.98 (252.77)
Possession of Offensive Weapons	640 (496)	278,579 (199,104)	435.28 (401.42)
Robbery	322 (226)	196,056 (138,679)	608.87 (613.62)

(Table continued on next page)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Sexual Assault and Other Sexual Offences	346 (282)	234,388 (189,541)	677.42 (672.13)
Theft	1,607 (1,347)	499,409 (409,342)	310.77 (303.89)
Other	501 (385)	165,433 (132,086)	330.21 (343.08)
	9,229 (7,847)	3,760,850 (3,265,867)	407.50 (416.19)
CRIMINAL YOUTH			
Appeals—Youth	19 (28)	9,628 (15,384)	506.74 (549.43)
Arson	31 (23)	12,424 (9,740)	400.77 (423.48)
Assault	146 (122)	49,338 (37,742)	337.93 (309.36)
Attempted Homicide and Wounding	9 (2)	7,049 (1,283)	783.22 (641.50)
Breach of Probation and Escape Custody	320 (135)	82,750 (36,434)	258.59 (269.88)
Break and Enter	549 (472)	166,977 (142,211)	304.15 (301.29)
Disposition Review or Reconsideration Youth	66 (214)	17,795 (57,351)	269.62 (268.00)
Fraud and False Pretences	58 (38)	17,838 (10,720)	307.55 (282.11)
Homicide and Death by Criminal Negligence	5 (6)	5,225 (37,657)	1,045.00 (6,276.17)
Motor Vehicle Offences			
—Federal Statues	27 (34)	8,777 (10,899)	325.07 (320.56)
—Provincial Statutes	3 (5)	754 (1,256)	251.33 (251.20)
Narcotics			
—Indictable	23 (24)	10,270 (8,107)	446.52 (337.79)
—Non-Indictable	22 (21)	7,344 (5,966)	333.82 (284.10)
Non-Federal Youth Matters	1 (1)	174 (177)	174.00 (177.00)
Possession of Offensive Weapons	107 (68)	42,889 (24,537)	400.83 (360.84)
Robbery	63 (40)	29,263 (14,443)	464.49 (361.08)

(Table continued on next page)

Type of Aid	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Sexual Assault and Other Sexual Offences	72 (80)	39,121 (47,984)	543.35 (599.80)
Theft	500 (395)	147,807 (113,830)	295.61 (288.18)
Youth Transfers	18 (21)	14,416 (10,863)	800.89 (517.29)
Other	88 (101)	23,533 (26,930)	267.42 (266.63)
	2,127 (1,830)	693,372 (613,514)	325.99 (335.25)
CIVIL			
Adoption	67 (44)	26,688 (12,205)	398.33 (277.39)
Appeals	66 (63)	68,079 (63,513)	1,031.50 (1,008.14)
Civil Suit - Defendant	123	56,619	460.32
Civil Suit - Plaintiff	47	44,955	956.49
Civil Suit	(172)	(89,890)	(522,62)
Custody	1,141 (892)	579,702 (419,454)	508.06 (470.24)
Divorce	1,614 (1,490)	811,446 (664,025)	502.75 (445.65)
Estate Matters	6	1,404	234.00
Immigration	69 (70)	26,546 (28,115)	384.72 (401.64)
Immigration - Port of Entry	1	338	338.00
Landlord & Tenant	52 (22)	16,864 (5,199)	324.31 (236.32)
Legal Opinions	43 (32)	9,780 (6,361)	227.44 (198.78)
Mental Health Matters	32	12,753	398.53
Other Administrative Matters	54 (58)	23,470 (27,480)	434.63 (473.79)
Parentage Proceedings	187 (122)	82,002 (57,585)	438.51 (472.01)
Separation	1,500 (1,286)	645,146 (480,452)	430.10 (373.60)
Youth Court Appointed	35	18,999	542.83
Variation	890 (701)	427,972 (311,225)	480.87 (433.97)
Welfare	49 (32)	19,121 (6,386)	390.22 (199.56)
Workers Compensation	17	8,621	507.12
Other	148 (153)	64,981 (52,824)	439.06 (345.25)
	6,141 (5,137)	2,945,486 (2,224,714)	479.64 (433.08)

Note: *As of March 31, 1989 there were approximately 15,612 cases yet to be completed and paid compared to 16,127 in the previous years.*

Legal Aid Fees and Disbursements By Area
(Private Bar Only)
For the Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

	Fees	Disbursements	Total	Completed Cases	Average Cost Per Case
CRIMINAL ADULT					
Brandon	$ 282,683	$ 13,585	$ 296,268	781	$ 379.34
	(265,331)	(17,067)	(282,398)	(715)	(394.96)
Dauphin	158,847	8,630	167,477	405	413.52
	(137,880)	(7,072)	(144,952)	(389)	(372.63)
Selkirk	510	6	516	2	258.00
	(3,735)	(131)	(3,866)	(14)	(276.14)
The Pas & Thompson	115,493	15,893	131,386	245	536.27
	(81,477)	(9,704)	(91,181)	(179)	(509.39)
Winnipeg	2,982,544	182,659	3,165,203	7,796	406.00
	(2,555,834)	(187,636)	(2,743,470)	(6,550)	(418.85)
CRIMINAL YOUTH					
Brandon	78,619	2,967	81,586	251	325.04
	(67,485)	(2,921)	(70,406)	(229)	(307.45)
Dauphin	30,353	393	30,746	97	316.97
	(26,391)	(302)	(26,693)	(85)	(314.04)
Selkirk	Nil	Nil	Nil	Nil	Nil
	(300)	Nil	(300)	(2)	(150.00)
The Pas & Thompson	13,625	904	14,529	43	337.88
	(11,219)	(484)	(11,703)	(36)	(325.08)
Winnipeg	550,094	16,417	566,511	1,736	326.33
	(470,906)	(33,506)	(504,412)	(1,478)	(341.28)
CIVIL					
Brandon	330,211	38,188	368,399	808	455.94
	(261,102)	(32,611)	(293,713)	(823)	(356.88)
Dauphin	100,259	9,118	109,377	278	393.44
	(67,732)	(8,579)	(76,311)	(184)	(414.73)
Selkirk	1,929	356	2,285	5	457.00
	(15,510)	(1,244)	(16,754)	(70)	(239.34)
The Pas & Thompson	78,807	8,667	87,474	231	378.68
	(45,307)	(8,755)	(54,062)	(157)	(344.34)
Winnipeg	2,068.604	309,347	2,377,951	4,819	493.45
	(1,540,690)	(243,184)	(1,783,874)	(3,903)	(457.05)
	$ 6,792,578	$ 607,130	$ 7,399,708	$17,497	$ 422.91
	(5,550,899)	(553,196)	(6,104,095)	(14,814)	(412.05)
Pre-Completion Disbursements	Nil	47,085	47,085		
	(Nil)	(50,897)	(50,897)		
	$ 6,792,578	$ 654,215	$ 7,446,793		
	(5,550,899)	(604,093)	(6,154,992)		

The financial statements show total private bar disbursements of $7,393,688.76. That figure was adjusted to reflect holdbacks of $343.95, private bar refunds of $1,862.63 and pre-completion disbursements paid in prior years of $3,812.20. The prior year figures were similarly adjusted.

Analysis of Completed Cases by Court
(Private Bar Only)
For the Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

	Number of Cases	Total Fees and Disbursements	Average Cost Per Case
Provincial Court (Criminal Division)	8,590 (7,112)	3,037,158 (2,445,782)	353.57 (343.90)
Provincial Court (Youth Division)	2,106 (1,787)	683,583 (571,374)	324.59 (319.74)
Provincial Court (Family Division)	428 (439)	196,630 (173,713)	459.42 (395.70)
County Court	2 (5)	597 (4,321)	298.50 (864.20)
Queen's Bench	4,328 (3,593)	2,850,591 (2,346,381)	658.64 (653.04)
Surrogate	2 (1)	616 (548)	308.00 (548.00)
Court of Appeal	144 (167)	170,179 (181,151)	1,181.80 (1,084.74)
Federal Court	16 (24)	12,767 (11,083)	797.94 (461.79)
Supreme Court	5 (15)	17,071 (36,837)	3,414.20 (2,455.80)
Review Board	196 (164)	80,986 (70,155)	413.19 (427.77)
Matters not resulting in Court Proceedings	1,680 (1,507)	349,530 (262,750)	208.05 (174.35)
	17,497 (14,814)	7,399,708 (6,104,095)	422.91 (412.05)

Duty Counsel Fees and Disbursements
(Private Bar Only)
For the Year Ended March 31, 1989
(with the 1988 Comparisons in Parenthesis)

	Persons Assisted	Total Fees and Disbursements	Average Cost Per Person Assisted
Brandon	222 (224)	$ 3,724 (3,348)	$ 16.77 (14.95)
Dauphin	40 (17)	905 (558)	22.63 (32.82)
Selkirk	296 (377)	9,188 (11,242)	31.04 (29.82)
The Pas & Thompson	342 (335)	26,403 (25,819)	77.20 (77.07)
Winnipeg	398 (570)	4,942 (11,327)	12.42 (19.87)
	1,298 (1,523)	$ 45,162* (52,294)	$ 34.79 (34.34)

**The financial statements show total duty counsel disbursements of $79,725.34. That figure includes disbursements of $34,562.52 for age and opportunity duty counsel.*

APPENDIX B

Manitoba

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

REPORT OF THE PROVINCIAL AUDITOR'S OFFICE

We have examined the financial statements, being Exhibits A and B and Schedules 1 to 5 of The Legal Aid Services Society of Manitoba for the fiscal year ended March 31, 1989. Our examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as we considered necessary in the circumstances.

In our opinion, these financial statements present fairly the position of the Fund of The Legal Aid Services Society of Manitoba as at March 31, 1989 and the results of its operations for the year then ended in accordance with the accounting policies stated in note 2 to the financial statements applied on a basis consistent with that of the preceding year.

J. W. Singleton, CA,
Assistant Provincial Auditor.

September 21, 1989,
Winnipeg, Manitoba.

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Fund
as at March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Fund balance beginning of year	$ 30,134	$ 24,817
Excess of receipts over disbursements, Exhibit B	185	5,317
Fund balance end of year	$ 30,319	$ 30,134
Fund balance represented by:		
Cash on hand and in bank	$ 754,653	$ 271,134
Outstanding reimbursement from the Government of the Province of Manitoba (Note 2.a)	10,000	175,000
Cheques issued and outstanding (Note 2.a)	(734,334)	(416,000)
Fund balance end of year	$ 30,319	$ 30,134

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Statement of Receipts and Disbursements
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Receipts:		
Government of the Province of Manitoba (Note 4)	$10,153,215	$ 8,847,202
The Manitoba Law Foundation (Note 5)	1,530,738	1,464,339
Government of Canada - grant re Northern Para-legal Project	113,925	31,075
Contributions from clients	135,940	129,223
Recoveries (Note 6)	229,749	181,152
Judgement costs and settlements	26,858	22,933
Interest income	29,835	28,057
Other	7,509	3,252
Total receipts	12,227,769	10,707,233
Disbursements:		
Private bar fees and disbursements (Note 2.a):		
Legal aid certificates	7,393,689	6,087,154
Duty counsel services	79,725	79,218
	7,473,414	6,166,372
Community Law Centres, Schedule 1	3,025,013	2,910,482
Public Interest Law Centre, Schedule 2	228,814	253,905
University Law Centre, Schedule 3	64,990	55,163
Northern Para-legal Project, Schedule 4	129,964	84,877
General and administrative, Schedule 5	1,305,389	1,231,117
Total disbursements	12,227,584	10,701,916
Excess of receipts over disbursements Exhibit A	$ 185	$ 5,317

SCHEDULE 1

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Community Law Centres
Schedule of Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Advertising and information	$ 806	$ 1,789
Certificate disbursements	73,922	76,033
Data processing	3,231	-
Duplicating services and supplies	40,093	26,012
Fly-in duty counsel program - travel	40,205	49,326
Furniture, equipment and leasehold improvements - net of disposals	7,212	44,820
Health and post secondary education tax levy	47,862	45,482
Library	28,592	27,447
Maintenance	22,544	23,484
Meetings and seminars	13,673	15,864
Office and postage	140,178	138,437
Office relocation	650	-
Rent	159,679	140,982
Salaries and benefits - professional	1,795,830	1,745,281
- clerical	468,058	416,276
Staff recruitment	7,041	8,704
Stationery and forms	2,898	4,216
Sundry	1,263	1,415
Telephone	94,810	76,208
Travel	62,725	55,210
Utilities	13,741	13,496
Total, Exhibit B	$ 3,025,013	$ 2,910,482

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Public Interest Law Centre
Schedule of Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Expert witnesses and consultants	$ 27,905	$ 60,629
File disbursements	14,336	6,997
Furniture and equipment	3,581	1,050
Health and post secondary education tax levy	2,601	3,321
Meetings and seminars	1,385	3,323
Office and postage	1,486	1,726
Rent	12,027	11,587
Salaries and benefits	157,344	157,809
Sundry	2,627	2,490
Travel	5,522	4,973
Total, Exhibit B	$ 228,814	$ 253,905

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

University Law Centre
Schedule of Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Certificate disbursements	$ 317	$ 544
Duplicating services and supplies	436	574
Furniture and equipment	-	403
Health and post secondary education tax levy	745	689
Office and postage	1,914	1,898
Salaries and benefits - professional	30,805	24,252
- clerical	22,754	20,360
Stationery and forms	576	441
Sundry	46	18
Telephone	3,403	2,965
Travel	3,494	3,019
Total, Exhibit B	$ 64,990	$ 55,163

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Northern Para-legal Project
Schedule of Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Advertising and information	$ -	$ 143
Fly-in duty counsel program - travel	25,523	8,795
Furniture, equipment and leasehold improvements - net of disposals	-	12,113
Health and post secondary education tax levy	1,674	856
Library	-	26
Meetings and seminars	5,300	2,922
Office and postage	231	105
Professional fees	9,000	12,000
Rent	9,820	5,313
Salaries and benefits	78,360	40,125
Staff recruitment	-	513
Stationery and forms	-	1,132
Sundry	56	59
Travel	-	775
Total, Exhibit B	$ 129,964	$ 84,877

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Northern Para-legal Project
Schedule of Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Advertising and information	$ -	$ 143
Fly-in duty counsel program - travel	25,523	8,795
Furniture, equipment and leasehold improvements - net of disposals	-	12,113
Health and post secondary education tax levy	1,674	856
Library	-	26
Meetings and seminars	5,300	2,922
Office and postage	231	105
Professional fees	9,000	12,000
Rent	9,820	5,313
Salaries and benefits	78,360	40,125
Staff recruitment	-	513
Stationery and forms	-	1,132
Sundry	56	59
Travel	-	775
Total, Exhibit B	$ 129,964	$ 84,877

THE LEGAL AID SERVICES SOCIETY OF MANITOBA SCHEDULE 5

Schedule of General and Administrative Operating Expenses
for the year ended March 31, 1989
(with 1988 figures for comparison)

	1989	1988
Advertising and information	$ 13,907	$ 2,658
Bank charges	1,772	4,175
Collections	1,215	1,689
Data processing	95,392	57,107
Directors' fees and expenses	19,589	19,530
Duplicating services and supplies	27,686	23,053
Evaluation study	-	82
Filing fees	1,494	160
Furniture, equipment and leasehold improvements - net of disposals	654	31,873
Health and post secondary education tax levy	19,208	17,419
Library	5,810	6,296
Maintenance	1,639	2,238
Meetings and seminars	6,191	4,963
Office and postage	63,017	95,381
Professional fees	12,840	14,631
Rent	68,548	63,192
Salaries, honoraria and benefits	883,432	808,895
Staff recruitment	455	28
Stationery and forms	32,118	31,686
Sundry	1,453	1,091
Telephone	31,928	28,875
Travel	11,681	8,509
Utilities	5,360	7,586
Total, Exhibit B	$ 1,305,389	$ 1,231,117

Notes to Financial Statements
for the year ended March 31, 1989

1. Objective of the Society

The objective of the Society is to assist individuals, groups and organizations who, left to their own means, could not afford to retain the services of a lawyer. Clients may be charged a fee based on their ability to pay.

Legal aid may be furnished to groups and organizations involving matters of an interest common to members of the group and relating to issues of public interest such as, but not restricted to, consumer and environmental issues.

Legal aid may be provided to wards of agencies if they would otherwise be eligible for legal aid. The cost of the legal aid provided is recovered from the agencies.

2. Significant Accounting Policies

a) Cash Basis of Accounting

The Society presents its financial statements on a cash basis with the following exceptions:

i) The Society takes into receipts, grants received from the Government of the Province of Manitoba after the end of the fiscal year when these are paid by the Government out of funds voted for the year then ended.

ii) The Society records as disbursements, payments made after the end of the fiscal year of billings for private bar fees and disbursements, when these are reimbursed by the Government out of funds voted for the year then ended. The payments are included in cheques issued and outstanding shown in the Statement of Fund.

b) Fixed Assets

Fixed assets are charged to operations in the year acquired.

c) Pensions

In accordance with the provisions of The Manitoba Civil Service Superannuation Act, the Society contributes 50% of the pension disbursements made to retired employees. Such payments are charged to operations as incurred and provision is not made in the accounts to fund current or past service obligations to the Superannuation Fund. On the basis of an actuarial report, the unfunded liability for the Society's employees amounted to $1,582,000 as at December 3, 1988 (1987 - $1,277,000).

d) Salary Related Costs

Staff benefits and other salary related costs are paid directly out of an appropriation of the Government of the Province of Manitoba and are handled by the Society as described below.

Where the amounts of a particular salary related cost are readily determinable, the amount is shown as a receipt from the Government of the Province of Manitoba and as an expenditure in the appropriate disbursement category. The salary related costs recorded in this manner are pension costs as described in (Note 2 c), unemployment insurance, Canada Pension Plan, group life insurance, accidental death and disablement insurance and the health and post secondary education tax levy.

Where the amounts of a particular salary related cost are not readily determinable, these costs are excluded from the Statement of Receipts and Disbursements. The salary related costs which are handled in this manner are Workers Compensation Board assessments, dental plan and long-term disability payments.

3. General and Administrative Expenses

General and administrative expenses incurred to provide services of the Public Interest Law Centre, the University Law Centre and the Society's other programs are reflected in the Schedule of General and Administrative Expenses.

4. Government of the Province of Manitoba Receipts:

	1989	1988
Grants (Note 2.a)	$ 6,750,000	$ 5,675,000
Salaries and other payments	3,217,600	2,998,745
Health and post secondary education tax levy - Civil Service Commission	71,150	66,172
Employer portion of employee benefits - Civil Service Commission	114,465	107,285
	$10,153,215	$ 8,847,202

THE LEGAL AID SERVICES SOCIETY OF MANITOBA

Notes to Financial Statements
for the year ended March 31, 1989

5. The Manitoba Law Foundation Receipts:

	1989	1988
Grant	$ 1,270,738	$ 1,204,339
Public Interest Law Centre	200,000	200,000
University Law Centre	60,000	60,000
	$ 1,530,738	$ 1,464,339

6. Recoveries Receipts:

	1989	1988
Wards of agencies	$ 93,454	$ 95,274
Private bar fees	30,644	30,434
Public Interest Law Centre	58,614	33,852
Realty tax refund	-	21,592
Insurance claim	47,037	-
	$ 229,749	$ 181,152

7. Significant Receivables, Liabilities and Commitments

a) Receivables

Approximate accounts receivable respecting contributions, recoveries and judgements, without providing an allowance for doubtful accounts, amounted to $ 213,000 for the year ended March 31, 1989 (1988 - $ 168,000).

b) Liabilities

	1989	1988
Approximate liability for legal aid certificate billings received but unpaid	$ 65,700	$ 18,900
Approximate liability for duty counsel billings received but unpaid	-	600
Approximate liability for unpaid operating expenses	137,400	116,700
	$ 203,100	$ 136,200

c) Commitments

Lease

i) The Society rents facilities under operating leases. The aggregate annual rental of the commitments under the leases, which expire at varying dates to March 31, 1992, are:

1990	$ 168,559
1991	155,045
1992	85,737
1993	8,333
	$ 417,674

Private Bar

ii) Estimated total commitments for future billings on outstanding legal aid certificates amounted to $ 6,160,000 for the year ended March 31, 1989 (1988 - $ 6,243,000).